

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

FILED  
JAMES BOWEN  
CLERK

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DARLINGTON AMADASU  
Plaintiff

Case No: C - 1- 01 - 210

Black/Dlott

-V-

JAMES R. DONOVAN, MD, et al  
Defendants

**PLAINTIFF'S NOTICE TO INSPECT & OBTAIN  
DEFENDANTS' DOCUMENTS; & SUGGESTED  
DATES FOR DEPOSITION OF PLAINTIFF**

**Plaintiff's Inspection and Obtaining Documents:**

Please take notice that plaintiff, Darlington Amadasu, will inspect and obtain copies of the below documents from both Ohio and Texas defendants at the offices of Mr. Flamm, Taft, Stettinius & Hollister LLP, at 425 Walnut Street, Suite 1800, Cincinnati, Ohio 45202 on **Friday, November 26, 2004 at 9:00 am:**

1. Every, any, and all categories of documents, i.e., (i) to (viii) documents, in the office, possession, custody, or control of Ohio defendants' counsel, Mr Justin D. Flamm, and which Ohio defendants described, under Rule 26(a)(1)(B), in the Ohio Defendants' Supplemental Rule 26(a)(1) Disclosures
2. Every, any, and all categories of documents in the office, possession, custody, or control of Ohio defendants' counsel, Mr Justin D. Flamm, and which Ohio defendants described, under Rule 26(a)(1)(D), in the Ohio Defendants' Supplemental Rule 26(a)(1) Disclosures
3. Every, any, and all categories of documents in the possession, custody, or control of Texas defendants' counsel, Mr Ramiro Canales, and which Texas defendants described, under Rule 26(a)(1)(B) in the Texas Defendants' Rule 26(a)(1) Initial Disclosures

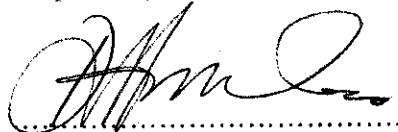
Please take notice that: (a) The Ohio defendants shall identify each document specifically and separately in alphabetical order, that is, **Ohio Dft. "A"...."Z"**, (b) The Texas defendants shall identify each document specifically and separately in alphabetical order, that is, **Texas Dft. "A"...."Z"**.

**Plaintiff's Deposition By Defendants:**

Please take notice that plaintiff will be available for defendants to depose him on any of these dates convenient to you: **December 1, or 2, or 3, or 6, or 7, 2004** at Mr Flamm's office at 9:00 a.m. Please you must confirm one of these dates for deposition by phone and followed by your written confirmation.

Without waiving his rights and his assertion that Rule 26(a)(1)(B) does not require plaintiff to inspect the documents before defendants provide the documents to plaintiff and without waiving his disagreement with both the defendants and the court's misinterpretation of Rule 26(a)(1) and Rule 26(a)(1)(B) requiring inspection, plaintiff will inspect and obtain copies on Friday, November 26, 2004 at 9:00 a.m. Plaintiff asserts that neither "inspect" nor "inspection" appear in the plain language or in the context of either Rule 26(a)(1) or Rule 26(a)(1)(B).

Respectfully submitted



Darlington Amadasu,  
Plaintiff.  
(513) 207-9010

**CERTIFICATE OF SERVICE**

This is to certify that a true copy of the foregoing was served on Justin D. Flamm and Ramiro Canales by faxes on 11/22/04.

